

DECLARATION OF ASSISTANT FIELD OFFICE DIRECTOR

KEITH M. CHAN

Pursuant to the authority of 28 U.S.C. § 1746, I, Keith M. Chan, an Assistant Field Office Director for U.S. Department of Homeland Security, United States Immigration and Customs Enforcement, Enforcement and Removal Operations, Burlington, Massachusetts declare as follows:

1. I am employed by the Department of Homeland Security, Immigration and Customs Enforcement (“ICE”), as an Assistant Field Office Director (“AFOD”), located in Burlington, Massachusetts. I have held this position since May 2022, and I have been employed by ICE since August 2008.
2. Included in my official duties as a AFOD in Burlington, Massachusetts is the responsibility for assisting in the managing and monitoring the scheduling and execution of removal orders for aliens in ICE custody. I am familiar with ICE policies and procedures for detaining individuals in order to initiate removal proceedings or to effectuate removal orders as well as releasing individuals from ICE custody.
3. I have experience utilizing ICE record systems to obtain information regarding specific aliens. ICE maintains electronic and paper records on aliens in the course of its regularly conducted business activity. These records are made in the course of regularly conducted business activity at or near the time of relevant events by a person with knowledge of these events. In preparing this declaration, I have examined ICE official records, including the Enforce Alien Removal Module (“EARM”) and PLANet. EARM is the ICE electronic database utilized by ERO to maintain information regarding the custody and removal status of aliens. PLANet is the ICE electronic database maintained by ICE’s Office of the Principal

Legal Advisor as a case and document management system. These databases are the electronic records ordinarily relied upon to ascertain an alien's immigration and criminal history, current case status, and plans for removal, if any.

4. In the course of preparing this declaration, I have examined the official records available to me regarding the immigration history and custody status of ("Petitioner") Cleberson Oliveira Gomes. I have also discussed this case internally with Officers within my office.
5. The Petitioner entered ICE custody on May 29, 2025.
6. The Petitioner is detained pursuant to 8 U.S.C. § 1225(b).

IMMIGRATION HISTORY

7. The Petitioner is a native and citizen of Brazil.
8. U.S. Customs and Border Protection ("CBP") encountered the Petitioner at the southern border of the United States on May 12, 2024, in the area of Calexico, California. At that time, he was not in possession of a valid unexpired immigrant visa, reentry permit, border crossing identification card, or other valid entry document.
9. CBP detained the Petitioner without a warrant. CBP issued a Notice to Appear under 8 U.S.C. § 1182(a)(6)(A)(i). The Petitioner was released on an Order of Recognizance ("OREC"). He was not admitted or paroled after inspection by an immigration officer.
10. On May 13, 2024, the Notice to Appear was filed with the Chelmsford Immigration Court.
11. On May 29, 2025, an ICE attorney made an oral motion to terminate the Petitioner's immigration proceedings at his scheduled removal hearing in immigration court. The immigration judge allowed the Petitioner ten days to respond to the motion to terminate. The immigration judge rescheduled the removal proceedings until December 4, 2025.

12. On May 29, 2025, ICE detained the Petitioner pursuant to its authority 8 U.S.C. § 1225(b).

ICE had a Warrant for Arrest of Alien, Form I-200.

13. The Petitioner is currently detained at the Plymouth County Correctional Facility in

Plymouth, Massachusetts.

14. His removal proceedings remain pending before the immigration court.

I declare under penalty of perjury that the foregoing is true and correct.

Signed on June 6, 2025



KEITH M CHAN
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Keith M. Chan
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U.S. Department of Homeland Security
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